



Department of Health

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Providence, RI 02908-5097

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**STATE OF RHODE ISLAND  
CENTER FOR PROFESSIONAL BOARDS AND COMMISSIONS  
BOARD OF EXAMINERS IN DENTISTRY**

**3 CAPITOL HILL  
DOC CONFERENCE ROOM LOWER LEVEL  
PROVIDENCE, RHODE ISLAND**

**WEDNESDAY, FEBRUARY 10, 2016  
8:00 A.M.**

**OPEN SESSION MINUTES**

**BOARD MEMBERS IN ATTENDANCE**

Jeffrey Dodge, DMD, Chairman  
Donald Williams, Secretary  
Russell Chin, DDS  
Caroline Danish, DMD  
Martin Elson, DDS  
Kerri Friel, RDH, COA, CDA, MA  
Martin Nager, DMD  
Susan Perlini, RDH, BS  
Robert Ricci, Ph.D.  
Maryellen Simas, RDH

**BOARD MEMBERS ABSENT**

Eric George, DMD  
Louis Marciano, BS, M.Ed.  
Stephen Puerini, DMD, Vice Chairman  
Marian Royer, DMD

**STAFF MEMBERS IN ATTENDANCE**

Sarah Harrigan, Chief, Center for Professional  
Boards and Commissions  
Dr. Sharon Friend, Board Administrator  
Kenny Alston, JD, Legal Counsel  
Linda Esposito, Board Manager

## **OTHERS IN ATTENDANCE**

Patrick McCarty, Dental Anesthesiologist  
Robert Bartro, RIDA  
Patrick Quinlan, Esquire, RIDA  
Christy Duran, Esquire, RIDA

### **1. Establishment of a quorum**

A meeting of the Rhode Island Board of Examiners in Dentistry was held on Wednesday, February 10, 2016 at the Rhode Island Department of Health, DOC Conference Room, Lower Level, 3 Capitol Hill, Providence, RI 02908. A quorum was established and the Open Session meeting was called to order at 8:35 a.m. on a motion by Martin Nager, DMD, and seconded by Maryellen Simas, RDH. Motion carried.

### **2. Board Manager's Report**

The Board Manager introduced the new Chief Legal Counsel for the Department of Health, Kenny Alston, Esquire. Attorney Alston will be serving as the Board's new attorney.

The Board Manager asked the Board to address an email request received inquiring as to whether Dental Hygienists can provide laser treatments. The Board asked for more specific information about the type of laser treatments being inquired about and the issue will be addressed at the next available Board Meeting.

### **3. Chairman's Report**

- Communications
  - Chairman Dodge requested approval from the Board to amend the Open Session Agenda to include other items for discussion. A motion was made by Martin Nager, DMD, and seconded by Maryellen Simas, RDH, to approve amendments to the Agenda as needed. Motion carried.
  - Chairman Dodge introduced Patrick McCarty, Dental Anesthesiologist. Dr. McCarty spoke with the Board regarding training in the Anesthesia field and expressed his willingness to assist with the re-drafting of anesthesia regulations.
  - Chairman Dodge asked Board Members to review the provided draft letter to the Department of Health Director, Dr. Nicole Alexander-Scott, regarding the Board's request to provide input whenever legislation is filed regarding the Dental profession as regulated by the Board. After review and discussion, a motion was made by Martin Nager, DMD and seconded by Maryellen Simas, RDH, to send the letter as written. Motion carried.
  - Chairman Dodge asked Russell Chin, DDS, to brief the Board regarding the most recent ADEX meeting.

- License Committee Meeting
  - No License Committee Meeting was held for February 10, 2016 as there were no license application issues to be addressed.
- March 2, 2016 Board Meeting
  - The March 2, 2016 meeting will go forward as scheduled. The meeting will be moved back to its usual meeting place in Room 401.

#### 4. **Board Administrator's Report**

- Nitrous Oxide and Minimal Sedation Facility Permit self-assessment process
  - Board Administrator, Dr. Sharon Friend, advised the Board that the Nitrous Oxide and Minimal Sedation facility evaluation forms will be revised in order to be used as a self-assessment forms. Upon application for a facility permit, the applicant will also need to provide the completed self-assessment form to attest that the facility is in compliance with the Board's requirements to provide Nitrous Oxide and/or Minimal Sedation. This self-assessment form would eliminate the need for initial office inspections for those facility permit types only. A motion was made by Martin Nager, DMD, and seconded by Susan Perlini, RDH, to incorporate the self-assessment requirement into the proposed Anesthesia Rules and Regulations and to provide the self-assessment forms for the Board's review at the March 2, 2016 Board Meeting. Motion carried.
- Moderate Sedation permits
  - Dr. Friend advised the Board about the visit she and Chairman Dodge made to the Simulation Center at Brown University and some of the details surrounding that process. The intent of utilizing the Simulation Center would be to evaluate the skills of Dentists who are applying for Moderate Sedation permits. The Center would be able to set up the course to evaluate any skill set required, the cost would be approximately \$1,500 per person, and each participant who passed the course would be provided a certificate of completion to provide to the Board for the purpose of obtaining a Moderate Sedation Permit.
  - The Board asked the Board Manager to review the currently pending Moderate Sedation Permit applications. Under the current Rules and Regulations, documentation of qualified training must be provided via the application process in order to qualify for a Moderate Sedation permit. The Board has requested that any pending applicants who have not yet provided their documentation of qualified training be contacted and notified that their

applications cannot be processed without the required documentation.

- Drugs List
  - The board opted to move forward with the facility self-query form rather than adopting the Massachusetts drug list.

**5. Public Comment**

Christy Durant, Esquire, requested that the Board add a definition of what constitutes “Sedation Dentistry” in the proposed Anesthesia Rules and Regulations.

Dr. Robert Bartro of the RIDA, advised the Board that he was contacted by Linda Esposito, Board Manager, regarding a suspicious Continuing Education document presented by a Dentist seeking to renew his expired license. Upon investigation, Dr. Bartro was able to confirm that the Dentist had never taken the course, and that Ms. Esposito’s suspicions were correct that the document provided was bogus.

**6. Presentation of the January 6, 2016 Open Session Meeting Minutes**

Motion was made by Susan Perlini, RDH, and seconded by Martin Nager, DMD, to accept the Open Session minutes for the Rhode Island Board of Examiners in Dentistry for Wednesday, January 6, 2016, as amended. The Board voted unanimously to approve the Open Session minutes as presented. Motion carried.

**7. Review of Issued Licenses List**

Board Members reviewed the list of licenses issued since the last Board Meeting. A Motion was made by Martin Nager, DMD, and seconded by Russel Chin, DDS, to accept the new licensee list.

**8. New Business**

- Discussion took place about the inordinate delay of the revision and finalizing of the Rules and Regulations that the Board voted on at their October 7, 2015 meeting. Board Manager, Linda Esposito, clarified for the Board that she was not given the assignment of revising those Rules and Regulations until Christmas week and that she has been working on them in between her other Boards and duties. The Board acknowledged they are aware of that time frame and they are aware of the Board Manager’s work load. They expressed their intention to have discussion with the Department Director to clarify why help has not been provided in order to accomplish the required revisions. Board Member, Kerri Friel, RDH, offered to come to the Board office in order to provide assistance in getting the revisions made for finalization.

**9. Old Business**

- Discussion of Proposed Dental Anesthesia Rules and Regulations

- A motion was made by Martin Elson, DDS, and seconded by Martin Nager, DMD, to hold discussion of the Moderate Sedation section of the proposed Anesthesia Rules and Regulations at the March 2, 2016 Board Meeting. Motion carried.

**10. Motion to Adjourn to Closed Session**

- A motion was made by, Maryellen Simas, RDH, and seconded by, Martin Nager, DMD, to adjourn to Closed Session at 11:10 a.m. pursuant to Sections 42-46-4 and 42-46-5(a)(4) of the Rhode Island General Laws, for investigatory proceedings regarding allegations of civil or criminal misconduct. Motion carried.

**11. Motion to Return to Open Session**

- Motion was made by Maryellen Simas, RDH, and seconded by Martin Nager, DMD, at 12:03 p.m. to re-open the Open Session and to seal the Minutes of the Closed Session pursuant to Sections 42-46-4, 42-46-5 and 42-46-7 of the Rhode Island General Laws. Board voted unanimously to approve. Motion carried.

**12. Final Actions on all votes taken in Closed Session**

- 2 No unprofessional Conduct
- 1 Reprimand

**12. Adjournment**

- The next Rhode Island Board of Examiners in Dentistry meeting will be held on Wednesday, March 2, 2016, 8:00 a.m. at the Rhode Island Department of Health, Room 401, 3 Capitol Hill, Providence, RI 02908. Motion was made by Martin Nager, DMD, and seconded by Chairman Dodge, to adjourn at 12:05 p.m. Board voted unanimously to adjourn. Motion carried.

Respectfully submitted,

Linda L. Esposito  
Board Manager  
State of Rhode Island  
Center for Professional Boards and Commissions  
Board of Examiners in Dentistry